

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:	§	
Edward R. Harrison et al.	§	Patent No.: 7,039,877
	§	
Serial No.: 09/754,849	§	Issued: May 2, 2006
	§	
Filed: January 4, 2001	§	Conf. No.: 2696
	§	
For: Conserving Space on	§	Docket: ITL.0528US (P10832)
Browser User Interfaces	§	
	§	Assignee: Intel Corporation

Mail Stop **Petition**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION PURSUANT TO RULE 182 TO REPRINT PATENT

Sir:

The applicant requests that the patent, previously printed with the wrong drawings, be reprinted. The patent issued with drawings from a different, unrelated application.

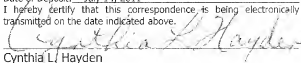
Issue Presented

Should a patent, issued with the wrong drawings from a different application, be reprinted?

Legal Authority

Rule 182 allows for petitions to matters not specifically addressed in the rules.

35 U.S.C. 154 states that "A copy of the specification and drawings shall be annexed to the patent and be part of such patent." See 35 U.S.C. 154(a)(4).

Date of Deposit: July 14, 2011
I hereby certify that this correspondence is being electronically
transmitted on the date indicated above.

Cynthia L. Hayden

Background Facts

The application was filed on January 4, 2001 with informal drawings. Then, on March 28, 2001 formal drawings were filed.

Examples of the difference between the correct drawings and issued drawings is shown as follows. Other examples can be seen by comparing the as filed drawings (Appendix A) with the issued patent drawings (Appendix B).

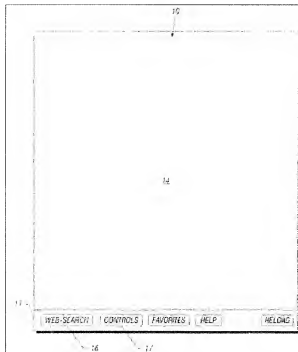
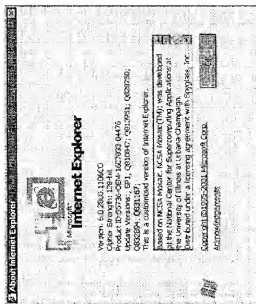


FIG. 1

Correct formal FIG. 1 as filed by applicant



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Incorrect printed FIG. 1 in Patent 7,039,877



FIG. 2

Correct FIG. 2 as filed by applicant

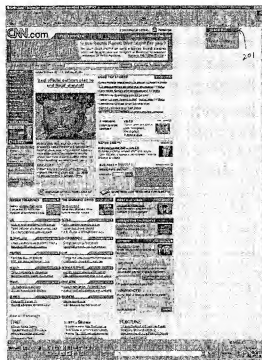


FIG. 2

Incorrect printed FIG. 2 in Patent 7,039,877

Someone, other than the applicant, filed the wrong informal drawings in this application file on April 4, 2005. Based on the following facts, the printing of the wrong drawings was due to a Patent Office mistake.

1. The PTO's image file history online shows the erroneous drawings, but their filing is not even noted in the online transaction history.
2. There is no record in the undersigned's files that the undersigned filed those incorrect drawings in the case.
3. There is no indication of how the erroneous drawings got into the file of the present application.

Apparently, since the erroneously filed set of drawings were erroneously believed to be the latest filed drawings, the erroneously filed drawings were the ones that were printed in the patent.

Analysis

The patent has now been issued with the wrong set of drawings due to a PTO error. It is respectfully submitted that the Patent Office is required by the Patent statute to annex the specification and drawings to the patent and that they be part of that patent. Specifically, mandatory language is provided in 35 U.S.C. 154, saying that the drawings “shall” be annexed to the patent.

The only reasonable construction of this language is that it is not sufficient that any old drawing be attached to the patent, but that the correct drawings must be attached to the patent.

Merely issuing a certificate of correction would not comply with the statutory requirement because a certificate of correction is a separate document and would not meet the statutory requirement that the drawings shall be annexed to the patent. The only way to comply with this statutory requirement is to reprint the previously printed patent. Simply publishing a separate certificate of correction as a separate document would not cause the drawings to be annexed to the patent.

* * *

The Commissioner is authorized to charge Deposit Account No. 20-1504 for any fees that may be required.

Respectfully submitted,

Date: July 14, 2011

/Timothy N. Trop/
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Attorneys for Intel Corporation

APPENDIX A

TRANSMITTAL OF FORMAL DRAWINGSDocket No.
INTL-0528

In Re Application Of: INTEL CORPORATION

Serial No.

09/754,849

Filing Date

01/04/2001

Batch No.

Examiner

Art Unit

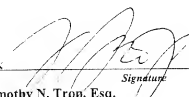
2673

Invention: CONSERVING SPACE ON BROWSER USER INTERFACES

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Transmitted herewith are:

5 sheets of formal drawing(s) for this application.

Each sheet of drawing indicates the identifying indicia suggested in 37 CFR Section 1.84(c)
on the reverse side of the drawing.

Signature
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Reg. No. 28,994
Trop, Pruner & Hu, P.C.
8554 Katy Freeway, Suite 100
Houston, TX 77024
(713) 468-8880

Dated: March 26, 2001

I certify that this document and attached formal drawings
are being deposited on March 26, 2001 with the
U.S. Postal Service as first class mail under 37 C.F.R. 1.8
and addressed to the Assistant Commissioner for Patents,
Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Lisa O'Sullivan

Typed or Printed Name of Person Mailing Correspondence

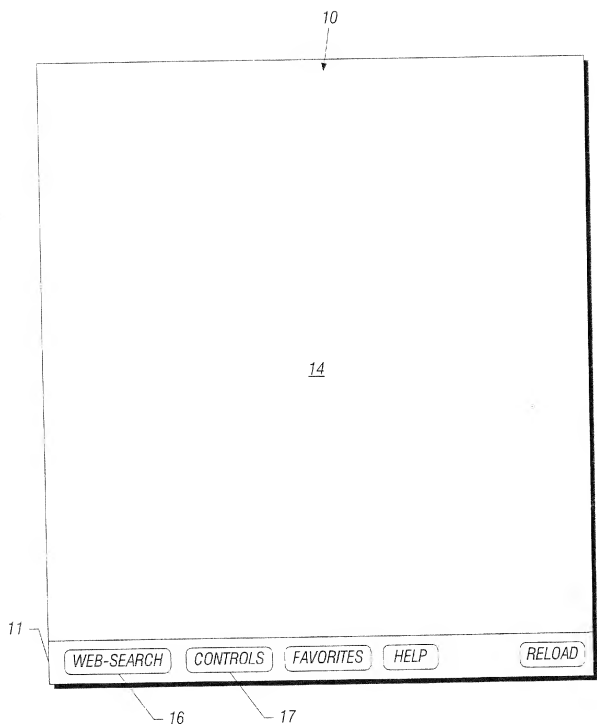


FIG. 1

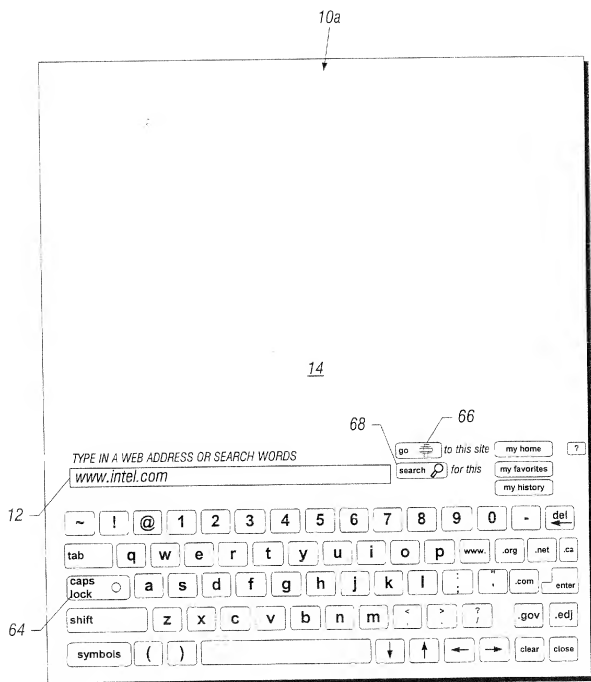


FIG. 2

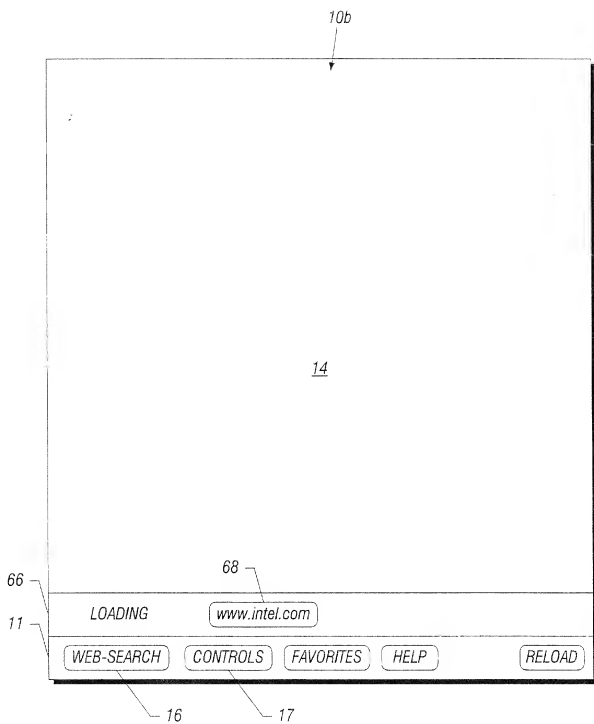


FIG. 3

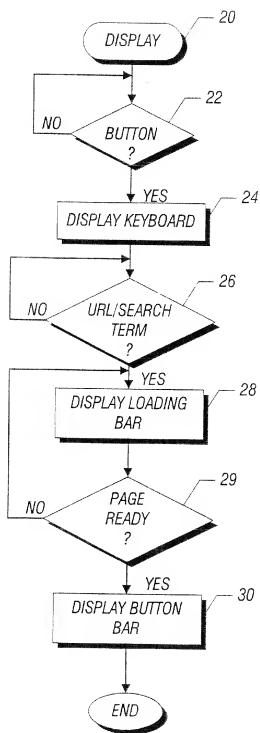


FIG. 4

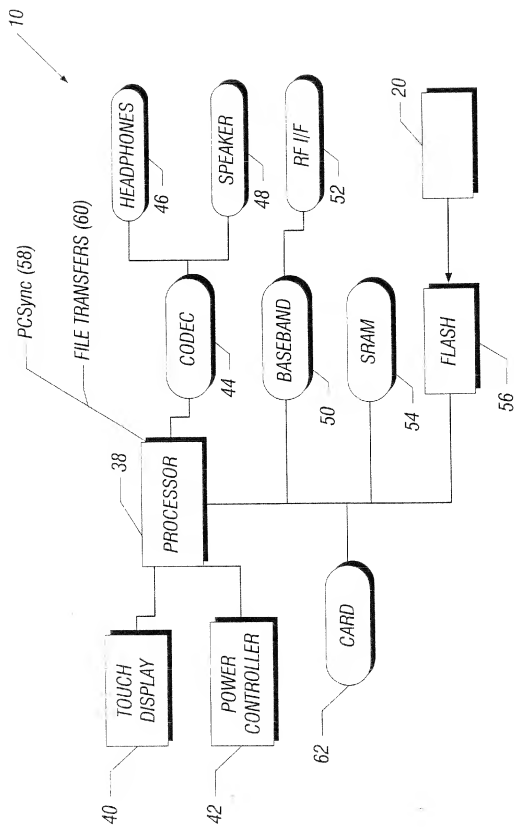


FIG. 5

APPENDIX B

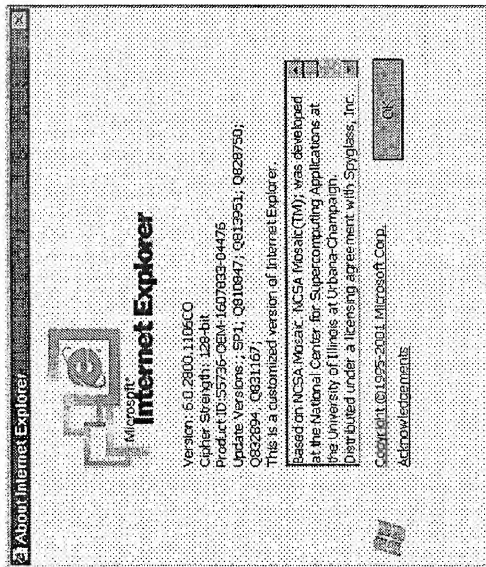


Fig. 1



FIG. 3





Fig. 5